

Appl. No. 09/824,454
Atty. Docket No. 8047
Amdt. dated June 27, 2003
Reply to Office Action of January 29, 2003
Customer No. 27752

AMENDMENTS TO THE CLAIMS

1. (Currently amended) A multi-layer nonwoven web suitable for use as a wet wipe, the web comprising:
 - (a) a first fibrous outer layer comprising from about 10% to about 60% conjugate fiber, from about 20% to about 65% cellulosic fibers;
 - (b) a fibrous inner layer comprising from about 10% to about 60% conjugate fiber, from about 10% to about 90% cellulosic fibers, said inner layer bonded without adhesive at discrete bond sites to said first outer layer in a face to face relationship; and
 - (c) A second fibrous outer layer comprising from about 10% to about 60% conjugate fiber, from about 20% to about 65% cellulosic fibers, said second fibrous outer layer bonded without adhesive at discrete bond sites to said inner layer in a face to face relationship.
2. (Original) The nonwoven web of Claim 1, wherein said first and second outer layer comprise identical fiber compositions.
3. (Original) The nonwoven web of Claim 1, wherein said first and second outer layers together comprise from about 20% to about 80% of the total basis weight of the web.
4. (Original) The nonwoven web of Claim 1, wherein said first and second outer layers each comprise from 20% to about 60% of the total basis weight of the web.
5. (Original) The nonwoven web of Claim 1, wherein said inner layer comprises from about 33% to about 80% of the total basis weight of the web.
6. (Currently cancelled)
7. (Currently cancelled)

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achieve sufficient bonding without sacrificing softness, which occurs with total bonding." Paper 2, page 2.

Applicant avers that it would not have been obvious to modify Reader to utilize discrete bond sites. Reader discloses that "all or a portion of the layers may be bound to adjacent layers." Col. 3, lines 34-35. Reader also discloses:

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prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known." MPEP 2144.03 (emphasis in original).

The Office Action did not cite any prior art references or other documentary evidence to support the conclusion that it would be desirable to utilize discrete bond sites. Additionally, there is no evidentiary support for the proposition that utilizing discrete bond sites would be motivated by the desire to achieve sufficient bonding without sacrificing softness; in other words, there is no support for the assertion that softness is sacrificed with total bonding. Accordingly, Applicant requests a reference or an affidavit providing evidentiary support for these conclusions that are the basis for the obviousness rejection. Absent documentary evidence establishing that the facts asserted to be common knowledge to one of skill in the art are capable of instant and unquestionable demonstration as being well-known, Applicant requests withdrawal of the rejections under 35 USC 103(a).

In the interest of expediting prosecution, Applicant has incorporated the limitations of claim 6 into claim 1. Although the Office Action stated generally that Claims 1-6 were rejected, Claim 6 was not specifically discussed in the Office Action. Original Claim 6 required the bonding of the web to be done without adhesive. There is no discussion in the Office Action as to whether Reader discloses, teaches, or suggests bonding without adhesive. Applicant avers that Reader fails to disclose, teach, or suggest bonding without adhesive. Furthermore, the Office Action failed to assert a motivation to utilize bonding without adhesive. Accordingly, Applicant assumes that original Claim 6 contained allowable subject matter. Applicant submits that incorporation of the allowable subject matter from Claim 6 into independent Claim 1 renders Claim 1 allowable. In light of the above arguments and the amendment to Claim 1, Applicant submits that Claim 1 and its dependent claims, Claims 2-5, are allowable.


Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 USC 103(a). Early and favorable action in the case is respectfully requested.

Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-5.

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